

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA	)	
	)	Case No. 3:12-mj-126
Plaintiff,	)	
	)	<u>AFFIDAVIT OF STEVEN M. PAYNE</u>
v.	)	
	)	
ISRAEL KEYES	)	<u>FILED UNDER SEAL</u>
	)	
Defendant,	)	

I, STEVEN M. PAYNE, Special Agent, Federal Bureau of Investigation (FBI), Anchorage, Alaska, being first duly sworn, upon oath, depose and say:

1. I am currently employed as a Special Agent (SA) for the Federal Bureau of Investigation (FBI) and have been so employed since October of 1996. During my employment with the FBI, I have been assigned the investigation of criminal matters within the jurisdiction of the FBI, with emphasis in the areas of bank robbery, drugs, street gangs, fugitives, crimes aboard aircraft, the sexual exploitation of children and white collar crime. I have been assigned to a violent crime and drug squad within the Anchorage Office of the FBI since October of 1998, and I was detailed to the Anchorage Drug Enforcement Administration (DEA) Task Force from June 1999 - July 2000.

2. The information contained below is from my personal knowledge and experience, other law enforcement personnel, or from those specific sources as set forth.

3. This investigation concerns the unauthorized use of an access device, specifically, a Credit Union 1 VISA debit card in the name of a known individual, herein identified as Person A, bearing number XXXXXXXXXXXXX2851 and an identifiable security code, which is in violation of Title 18, USC, Section(s) 1029 - Fraud and Related Activity in Connection with Access Devices (FRACAD).

4. Since this affidavit is being submitted for the limited purpose of charging ISRAEL KEYES with violation(s) of Title 18, USC, Section(s) 1029 - FRACAD, I have not included each and every fact known to me regarding this investigation. I have set forth only the

facts that I believe are necessary to establish a foundation to support the aforementioned charge(s).

5. Person A reported to law enforcement that on 02/02/2012, at approximately 3:00am, he observed an unknown male adult wearing a ski mask and dark clothing going through his vehicle. Person A's aforementioned Credit Union 1 VISA debit card (VISA debit card) is believed to have been stolen from Person A's vehicle at this time. Person A subsequently informed law enforcement that his VISA debit card was missing, and stated that he did not give his VISA debit card to anyone else or give anyone permission to use it.

6. On 02/28/2012, at approximately 10:13pm Alaska Standard Time (AST), an unidentified light-skinned male adult with a muscular build used Person A's stolen VISA debit card to access his Credit Union 1 bank account associated with the debit card at an Automated Teller Machine (ATM) located at the Alaska USA Federal Credit Union (AUSAFCU) located at or near 4300 Credit Union Drive, Anchorage, Alaska. He attempted to withdraw \$600, but the transaction was denied, because it exceeded the daily withdrawal limit for the account.

7. On 02/28/2012, at approximately 11:56pm AST, an unidentified light-skinned male adult with a muscular build who appeared to be the same individual who attempted the aforementioned \$600 withdrawal used Person A's stolen VISA debit card to access the same Credit Union 1 bank account at an ATM located at the Denali Alaska Federal Credit Union (DAFCU) located at 3020 Minnesota Drive, Anchorage, Alaska. He withdraw \$500 in U.S. currency and departed the scene.

8. On 02/29/2012, at approximately 12:25am AST, an unidentified light-skinned male adult with a muscular build who appeared to be the same individual who performed the aforementioned \$500 withdrawal used Person A's stolen VISA debit card to access the same Credit Union 1 bank account at an ATM located at the AUSAFCU located at or near 7575 DeBarr Road, Anchorage, Alaska. He withdraw \$500 in U.S. currency and departed the scene.

9. On 03/07/2012, at approximately 11:57pm Mountain Standard Time (MST), an unidentified light-skinned male adult with a muscular build who appeared to be wearing a gray hooded sweatshirt, glasses, a gray facemask, gloves, blue jeans and white shoes used Person A's stolen VISA debit card to access the same Credit Union 1 bank account at an ATM located at the Western Bank located at 200 West Rex Allen Road in Willcox, Arizona. He withdraw \$400 in

U.S. currency and departed the scene. The subject appeared to be driving a late model white Ford Focus sedan.

10. On 03/08/2012, at approximately 1:24am MST, there was an attempted \$400.00 withdrawal at the Western Bank located at 711 Main Street in Lordsburg, New Mexico using Person A's stolen VISA debit card to access the same Credit Union 1 bank account. The withdrawal was declined by the ATM, because it would have exceeded the daily withdrawal limit. At 1:25 a.m. MST, at the same ATM, a balance inquiry was done on the account utilizing the debit card. The balance shown was \$3,598.91. At 1:26 a.m. MST, \$80.00 in U.S. currency was withdrawn at the same ATM from the account utilizing the debit card. Surveillance video from the ATM showed the individual using the debit card wore similar clothing to the first ATM withdrawal in Arizona, and appeared to be driving a late model white Ford Focus sedan.

11. On 03/10/2012, at approximately 2:23am Central Standard Time (CST), \$480.00 in US currency was withdrawn from the ATM at the Houston Community Bank located at 1515 Farm to Market 1960 Bypass East, Humble City, Texas using Person A's stolen VISA debit card to access the same Credit Union 1 bank account. Initial review of the surveillance video from the ATM appeared to show that the individual using the debit card wore similar clothing to that worn during the two aforementioned ATM withdrawals in Arizona and New Mexico, and appeared to be driving a late model white Ford Focus sedan.

12. On 03/12/2012, at approximately 2:47am CST, \$480.00 in US currency was withdrawn from the ATM at the People's State Bank located at 5850 Highway 59 South, Shepherd, Texas using Person A's stolen VISA debit card to access the same Credit Union 1 bank account. Initial review of the surveillance video from the ATM appeared to show that the individual using the debit card wore similar clothing to that worn during the three aforementioned ATM withdrawals in Arizona, New Mexico and Texas, and appeared to be driving a late model white Ford Focus sedan.

13. On 03/13/2012, at approximately 11:00am CST, a white Ford Focus sedan bearing Texas license plate DH4N930 was observed parked at the Quality Inn & Suites (QIS), 4306 South First Street, Lufkin, Texas, which is a short drive from Shepherd, Texas. Shortly thereafter, a white male adult (later identified as ISRAEL KEYES, date of birth (DOB) 01/07/1978) was observed exiting room 215 QIS, placing some personal items into the trunk of the aforementioned white Ford Focus and departing the scene.

14. On 03/13/2012, at approximately 11:45am CST, a traffic stop was conducted on KEYES' white Ford Focus sedan by a Texas State Highway Patrol Officer for speeding. During the ensuing contact, KEYES provided his Alaska Driver's License and advised the contacting officer(s) that he flew from Anchorage to Las Vegas on 03/07/2012. KEYES indicated that he rented this white Ford Focus at the Las Vegas airport, and drove to his present location over the course of the ensuing week. KEYES was unable to describe the route he drove or explain why he elected to travel in this manner, given that he was reportedly going to a wedding in Wells, Texas. KEYES became increasingly confrontational during the traffic stop, especially when asked for details about his activities.

15. Multiple maps with what appeared to be highlighted routes from north to south through California, and other highlighted areas in Arizona and New Mexico, were observed on the floorboard of the vehicle during contact with KEYES. In addition, a pair of white tennis shoes were observed on the floor of the vehicle, and multiple rolls of rubber banded U.S. currency were observed in the driver's door of the vehicle. A subsequent search of the vehicle revealed a gray hooded sweatshirt, glasses and piece of a gray tee shirt that appeared to have been cut to use as a facemask in the trunk of the vehicle. These items appeared to be consistent with those observed on the subject in the ATM surveillance videos in Arizona, New Mexico and/or Texas discussed above. In addition, Person A's stolen VISA debit card was located on KEYES' person.

16. A review of the Alaska Public Safety Information Network (APSIN) revealed that KEYES is a white male adult, approximately 6'2" tall, 190 pounds with brown hair and eyes.

17. Based upon my training and experience, Person A's VISA debit card is an access device as defined under Title 18 USC Section 1029.

18. The deposits of Credit Union 1 are insured by the National Credit Union Administration (NCUA). Its NCUA number is 66157, and it was issued in September 2005.

19. Based on the aforementioned information, there is probable cause to believe that ISRAEL KEYES violated Title 18, USC, Section(s) 1029(a)(5) - Fraud and Related Activity in Connection with Access Devices (FRACAD), as outlined above.

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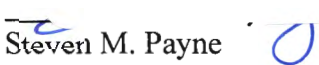
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20. On information and belief, the conduct of ISRAEL KEYES constitutes a violation of Title 18, USC, Section(s) 1029(a)(5) - Fraud and Related Activity in Connection with Access Devices (FRACAD).

FURTHER, YOUR AFFIANT SAYETH NAUGHT.

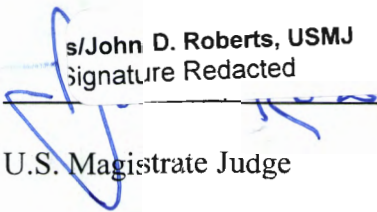
/s/ Signature Redacted

  
Steven M. Payne  
Special Agent  
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO BEFORE ME this 13<sup>th</sup> day of

March, 2012, at Anchorage, Alaska.

s/John D. Roberts, USMJ  
Signature Redacted

  
U.S. Magistrate Judge